

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

PLAINTIFFS' MOTION FOR TEMPORARY SEALING

Pursuant to Rule 26 of the Federal Rules of Civil Procedure, and Local Civil Rule 5(C), Plaintiffs move the Court to enter an order allowing Plaintiffs to file under temporary seal an exhibit accompanying their Reply in Support of Plaintiffs' Motion to Compel, Exhibit 3 (ECF No. 185-4), as well as references thereto in the Reply and accompanying declaration. This exhibit is an excerpt of the April 25, 2019 deposition transcript Cox's 30(b)(6) representative Matthew Carothers. Defendants Cox Communications, Inc. and CoxCom, LLC (collectively "Cox") designated the transcript as "Highly Confidential—Attorneys' Eyes Only" under the stipulated protective order. ECF No. 58.

Plaintiffs do not concede the documents or information that are the subject of this motion should be subject to the confidentiality protection designated by Cox. Plaintiffs request temporary sealing to comply with the Court's Stipulated Protective Order in this action and to allow Cox, as the designating party, to respond and explain why such sealing is necessary.

Local Civil Rule 5(C) provides that "[w]hen a party moves to file material under seal because another party has designated that material as confidential, the party designating the material as confidential must file a response to the motion," which includes:

1. “A statement why sealing is necessary, and why another procedure will not suffice, as well as appropriate evidentiary support for the sealing request.” L. Civ. R. 5(C)(2).
2. “References to the governing case law, an analysis of the appropriate standard to be applied for that specific filing, and a description of how that standard has been satisfied.” *Id.* 5(C)(3).
3. “Unless permanent sealing is sought, a statement as to the period of time the party seeks to have the matter maintained under seal and how the matter is to be handled upon unsealing.” *Id.* 5(C)(4).
4. A proposed order.

Respectfully submitted,

Dated June 27, 2019

/s/ Scott. A Zebrak
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